



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hubert Köster, Ph.D. et al. Art Unit : 1639
Serial No. : 10/760,085 Examiner : Jon D. Epperson
Filed : January 16, 2004 Cust. No. : 77202
Conf. No. : 8019
Title : CAPTURE COMPOUNDS, COLLECTIONS THEREOF AND METHODS
FOR ANALYZING THE PROTEOME AND COMPLEX COMPOSITIONS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Because this Supplemental Information Disclosure Statement is filed after the receipt of a First Office Action on the Merits for the above-captioned application, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 02-1818.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. Forms PTO-1449 (3 pages) and copies of the cited non U.S. Patent documents not marked with a double asterisk **, in the "Examiner Initial" column are provided herewith in connection with the above-captioned application. In accordance with 37 C.F.R. §1.98 (d), copies of the documents listed on the Form PTO-1449, marked with the double asterisk, are not provided herewith as they have been previously provided in the instant application in Information Disclosure Statements, supplied with Forms PTO-1449, filed September 14, 2005, November 22, 2005, and February 27, 2007.

In the Office Action dated November 15, 2007 in connection with the above-captioned application, Examiner alleges that the Information Disclosure Statements filed September 15, 2005; November 22, 2005; and February 27, 2007 do not comply with 37 CFR 1.97, 1.98 and MPEP § 609 because some of the cited foreign patent documents lack the correct country code. On the Forms PTO-1449 provided herewith, Applicant indicates that

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I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and is addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA, 22313-1450.

Jon Levy

these foreign patent documents are from the "World Intellectual Property Organization" by listing "WIPO" as the country and including the code "WO" in the document number.

In the Office Action dated November 15, 2007, the Examiner also alleges that the Information Disclosure Statement filed on February 27, 2007 is not in compliance with the requirement to provide page numbers and to submit information on the proper PTO-1449 form. Applicant is not aware of a requirement to use form PTO-1449 when filing an IDS. In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all information known by Applicant or Applicant's representative that may be material to the examination of the subject application, this Supplemental Information Disclosure Statement (sIDS) includes a table listing Office Actions cited and claims pending in related and corresponding U.S. and foreign Patent Applications (Documents 1-11). The sIDS includes the application number of the application in which the sIDS is being submitted, a column that provides a blank space next to each citation for the Examiner's initials, a heading on the listing that clearly indicates the list is an Information Disclosure Statement, and copies of Documents 1-11. Therefore, this sIDS is in compliance with 37 CFR §§ 1.97, 1.98 and MPEP § 609 and Applicant respectfully requests that Examiner consider and initial all information listed in the table below.

The documents cited on the Forms PTO-1449 and in the Table below are in the English language, with the exception of items noted below. Item AE (JP 2001-321199) is in the Japanese language and an English language equivalent is provided (EP 1138781, Item AD). Item AF (JP 6-222058) is in the Japanese language and an English language equivalent is provided (WO 89/03041, Item AW). Hence, in accordance with the requirements of 37 C.F.R. 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

In accordance with the requirements of 37 C.F.R. §1.98, the following documents are also provided for consideration by the Examiner:

1) Notice of Acceptance, issued August 28, 2006, in connection with Australian Patent Application No. 2004206856 (Attorney Docket No. 0119368-00027/ 2309AU). Australian Patent Application No. 2004206856 is a national stage filing of International Patent Application No. PCT/US2004/001037, which corresponds to the instant application filed in the United States on the same date.

2) Claims of Australian Patent Application No. 2004206856 as accepted on August 28, 2006.

3-4) Office Actions, issued February 1, 2006; and October 18, 2006, in connection with corresponding European Patent Application No. 04702919.4 (Attorney Docket No. 0119368-00026/ 2309EP), which is a national stage filing of International Patent Application No. PCT/US2004/001037.

5) Claims of European Patent Application No. 04702919.4, as amended on August 11, 2006. The Office Action issued October 18, 2006 (Document 4), is responsive to the claims as amended on August 11, 2006.

6) Office Action, issued September 18, 2006, in connection with Canadian Patent Application No. 2,513,549 (Attorney Docket No. 0119368-00029/2309CA), which is a national stage filing of International Patent Application No. PCT/US2004/001037.

7) Search Report/Written Opinion, issued January 12, 2007, in connection with Singapore Patent Application No. 200504446-6 (Attorney Docket No. 119368-00035/ 2309SG), which is a national stage filing of International Patent Application No. PCT/US2004/001037.

8-9) Office Actions, issued May 8, 2007 and February 5, 2008, in connection with Japanese Patent Application No. 2006-500969 (Attorney Docket No. 0119368-00033/ 2309JP), which is a national stage filing of International Patent Application No. PCT/US2004/001037.

10) International Preliminary Examination Report, issued April 27, 2005, in connection with International Patent Application No. PCT/US02/22821 (Attorney Docket No. 119368-00046/ 2305PC).

11) Office Action, issued April 10, 2006, in connection with European Patent Application No. 02807357.5 (Attorney Docket No. 0119368-00013/ 2305EP), which is a national stage filing of International Patent Application No. PCT/US02/22821.

The table below lists Documents 1-11 and includes a column that provides a space next to the document to be considered, for the Examiner's initials.

Examiner Initial	Document No.	Document
	1	Notice of Acceptance, issued August 28, 2006, in connection with corresponding Australian Patent Application No. 2004206856
	2	Copy of claims of corresponding Australian Patent Application No. 2004206856, as accepted on August 28, 2006.
	3	Office Action, issued February 1, 2006, in connection with corresponding European Patent Application No. 04702919.4
	4	Office Action, issued October 18, 2006, in connection with corresponding European Patent Application No. 04702919.4
	5	Copy of claims of corresponding European Patent Application No. 04702919.4 as amended on August 11, 2006.
	6	Office Action, issued September 18, 2006, in connection with corresponding Canadian Patent Application No. 2,513,549
	7	Search Report/Written Opinion, issued January 12, 2007, in connection with corresponding Singapore Patent Application No. 200504446-6
	8	Office Action, issued May 8, 2007, in connection with corresponding Japanese Patent Application No. 2006-500969
	9	Office Action, issued February 5, 2008, in connection with corresponding Japanese Patent Application No. 2006-500969
	10	International Preliminary Examination Report, issued April 27, 2005, in connection with International Patent Application No. PCT/US02/22821
	11	Office Action, issued April 10, 2006, in connection with European Patent Application No. 02807357.5

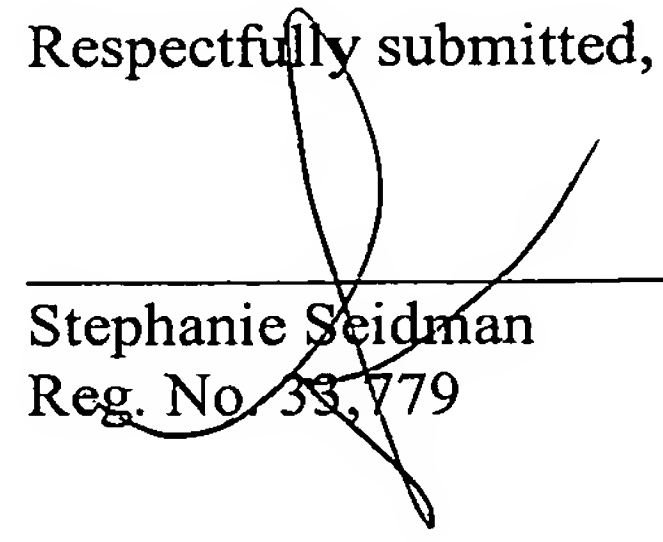
Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the documents or information, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant : Hubert Köster, Ph.D.
Serial No. : 10/760,085
Filed : January 16, 2004

Attorney's Docket No.: 0119368-00025/ 2309
Supplemental Information Disclosure Statement

Applicant respectfully requests that the Examiner review the foregoing documents and they be made of record in the file history of the above-captioned application.

Respectfully submitted,



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Attorney Docket No. 0119368-00025/ 2309
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